

Matthew J. Smith
Mohave County Attorney
Gregory A. McPhillips
Deputy County Attorney
State Bar No. 016262
315 N. 4th Street
P.O. Box 7000
Kingman, AZ 86402
Telephone: (928) 753-0719
Fax: (928) 753-2669
CAO.Court@mohavecounty.us
Attorney for

FILED
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VIRLYNN TINNEL
SUPERIOR COURT CLERK

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE**

STATE OF ARIZONA,

Plaintiff,

vs.

JUSTIN JAMES RECTOR

Defendant.

No. CR-2014-1193

**RESPONSE TO DEFENDANT'S
MOTION TO PRECLUDE THE
STATE FROM OFFERING ANY
EVIDENCE AT PENALTY PHASE
NOT SPECIFIC TO DEFENDANT'S
MITIGATION EVIDENCE**

COMES NOW, the State of Arizona, by the Mohave County Attorney and through the undersigned Deputy County Attorney, Gregory A. McPhillips, respectfully requests that defendant's present motion be denied.

Defendant's motion does not present any facts to the Court. Defendant is not alleging the State wants to admit fact "X" and that is not legally appropriate. The State has no way to answer defendant's motion—that does not allege a contested fact. This Court cannot rule on an issue where there are no contested facts to resolve. Defendant's Motion is not ripe.

RESPECTFULLY SUBMITTED THIS 24TH DAY OF NOVEMBER, 2015.

MOHAVE COUNTY ATTORNEY
MATTHEW J. SMITH

By 
DEPUTY COUNTY ATTORNEY
GREGORY A. MCPHILLIPS



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A copy of the foregoing
sent this same day to:

HONORABLE LEE F. JANTZEN
SUPERIOR COURT JUDGE

GERALD T. GAVIN
3880 STOCKTON HILL ROAD, SUITE 103-450
KINGMAN, AZ 86409

RONALD S. GILLES
LEGAL DEFENDER
Mohave County Legal Defender's Office
P O Box 7000
Kingman, AZ 86402

By Grip